**THE HON'BLE THE ACTING CHIEF JUSTICE BILAL NAZKI**

**and**

**THE HON'BLE MR JUSTICE G.CHANDRAIAH**

**Date: 8.8.2005**

**WRIT PETITION NO : 10132 of 2005**

Between:

All India Lawyers Union, A.P.State Committee, rep., by its General Secretary, Kolli Satyanarayana.

**..... PETITIONER**

AND

1 Government of A.P., rep., by its Secretary, Irrigation Department, Secretariat Buildings, Secretariat, Hyderabad & others.

**.....RESPONDENTS**

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE MR JUSTICE G.CHANDRAIAH

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WRIT PETITION NO : 10132 of 2005

ORDER: (per the Hon'ble Sri Bilal Nazki, ACJ)

The Government has taken a decision to construct bridge on the river Nagavali at Thotapalli Village, Vizianagaram District. It is submitted that by the construction of this project, thousands of acres of land would be irrigated. The grievance of the petitioner is that by constructing the Reservoir, many villages would be submerged. They also stated that on 16.4.2005, the people of the area made demonstrations and force was used against the demonstrators by the police. In this background of the case, petitioner claims that a judicial enquiry into the occurrence of 16.4.2005 should be ordered and Government should be directed to constitute rehabilitation commission for rehabilitating the displaced persons of Thotapalli Irrigation Project.

Counter affidavits have been filed by the department of Irrigation as well as the Department of Revenue.

It is submitted that a policy has already been framed in terms of G.O. Ms. No.68, dated 8.4.2005 and in pursuance of that policy, an administrator has been appointed on 14.6.2005. The areas which are likely to submerge have also been identified. It is stated that all those persons who will suffer because of submergence of the lands would be duly compensated and no lands shall be taken possession of which are used for the purpose of construction of reservoir or which submerge as a result of construction of Reservoir without paying the compensation amount. The learned counsel for the respondents submits that since the policy is already in place, therefore, all steps those are necessary to be taken under the policy framed under G.O. Ms.No. 68, dated 8.4.2005, shall be taken.

In view of these assertions, we do not think that there is any necessity for our

intervention at this stage.

Coming to the second grievance regarding the incident that has occurred on 16.4.2005, the respondents have stated that since there was law and order problem, warnings were given and tear gas shells were burst and ultimately firing was resorted to, but no death was caused except minor injuries to four civilians. However, it is stated that as many as 34 policemen were injured in the said incident and a case has been registered in Crime No.14/2005. It has been stated that an amount of Rs. 9,70,00,000/- was deposited with the Collector for payment of compensation in addition to Rs. 94.00 lakhs, for implementing R&R package for acquisition of the land.

In this view of the matter, no further directions can be given on this count.

The writ petition is accordingly disposed of.

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BILAL NAZKI, ACJ

DATE: 8th August, 2005

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G. CHANDRAIAH,J

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